

REMARKS

Claims 1-31 are pending. Claim 22 is elected and amended. New claims 32-37 are added. Claims 1-21 and 23-31 are withdrawn. The amendments and new claims are fully supported in the application as filed; no new matter is added.

Applicant traverses the Restriction requirement at least with respect to Groups XXVII and XXVIII. Both groups encompass claim 22, and the Examiner's classified both groups in the same class and same subclass. Thus, a search of this class and subclass would locate art directed to a method where TFF2 is provided to a lung in an amount sufficient to cause either reduced lung acidity or enhanced lung epithelial cell repair, so no undue burden is placed on the Examiner.

The Examiner states "... even though in some cases the classification is shared, a different field of search would be required based upon the structurally distinct products recited and the various methods of use comprising distinct method steps" (pp. 12-13 Office Action). However, the claimed reduced lung acidity and/or enhanced lung epithelial cell repair result from a TFF2 effect on a single trigger: lung inflammation. By providing a composition comprising TFF2, both sequelae of lung inflammation may be ameliorated. Therefore, Applicant respectfully requests removal of the restriction between Groups XXVII and XXVIII.

Claim 22 is amended to generalize the method, supported at least at p. 18 lines 9-10. Efficacy of amended claim 22 may be readily assessed, e.g., by histology evidencing repair processes and by pH measurement. New claims 32-37 depend from claim 22 and recite specific formulations, administration routes, and patient status, supported at least at p. 18 lines 16-24; p. 19 line 6 and lines 14-16; and original claims 7, 14, 15, and 17.

CONCLUSION

Applicant respectfully requests entry of the Amendment and reconsideration of the Restriction for the reasons previously analyzed.

Fees for three months' extension of time are being paid by credit card (see Electronic Fee Calculation Sheet). No other fees are believed due, but if any fees are deemed necessary, the Examiner has authorization to charge them to Deposit Account No. 23-3000.

The Examiner is invited to contact Applicant's undersigned representative with questions.

Respectfully submitted,
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